

MONDAY, APRIL 8, 1985

THIRTY-SECOND LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother William A. Wilder, West Seventh Street Church of Christ, Columbia, Tennessee.

Representative Napier led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 96

Representatives voting aye were: Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 165, 185, 256 and 257; all for the signature of the

**MONDAY, APRIL 8, 1935--32nd LEGISLATIVE DAY**

**Speaker.**

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 165, 185, 256 and 257.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

268--To make certain provisions, athletic trainers;

318--To create County and District Boards of Health; both substituted for Senate Bills on same subject, amended and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

110--To regulate branch banks;

256--To amend Chapter 2 of Title 35, Code;

259--To make certain provisions, savings and loan associations;

260--To amend employment security law;

279--To regulate ginseng dealers;

465--To provide for disclosure, bank examination reports;

501--To revise certain definitions, sale of cigarettes;

607--To regulate termination, certain governmental agencies;

714--To create Natural Resources Trust Fund;

985--To make certain provisions, fire prevention and investigation; all substituted for Senate Bills on same subject and

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

388--To increase fee, bad check restitution program.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Senate Amendment No. 1; withdrew Senate Amendment No. 1; then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

354--To enact Financial Institution Conversion Act.

480--To enact the Ginseng Harvest Season Act;

617--To amend Part 1 of Chapter 11, Title 68, Code;

672--To provide for disposition, certain physical evidence, court proceedings;

710--To enact Agriculture Commodities Promotion Act; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**CALENDAR**

House Bill No. 531--To make certain provisions, industrial development corporations.

On motion, House Bill No. 531 was made to conform with Senate Bill No. 259.

On motion, Senate Bill No. 259, on same subject, was substituted for House Bill No. 531.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Mr. Robinson (Davidson) moved that Senate Bill No. 259 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 162--To continue defense council commission.

Mr. King moved that House Bill No. 162 be passed on third and final consideration.

Mr. King moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 162 by deleting Sections 1 and 2 and by substituting instead the following:

"SECTION 1. The defense council commission, created by Tennessee Code Annotated, Section 8-42-102, shall terminate upon the effective date of this act; provided, however, that the commission shall continue in existence to perform the functions mandated by Tennessee Code Annotated, Section 9-8-107.

SECTION 2. Tennessee Code Annotated, Section 4-29-205, is amended by deleting item (12) in its entirety.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it."

On motion, the amendment was adopted.

Thereupon, House Bill No. 162, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

A motion to reconsider was tabled.

House Bill No. 146--To continue board of claims.

On motion, House Bill No. 146 was made to conform with Senate Bill No. 252.

On motion, Senate Bill No. 252, on same subject, was substituted for House Bill No. 146.

Mr. King moved that Senate Bill No. 252 be passed on third and final consideration.

Mr. King moved that Senate Bill No. 252 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

House Bill No. 171--To continue department of economic and community development.

On motion, House Bill No. 171 was made to conform with Senate Bill No. 142.

On motion, Senate Bill No. 142, on same subject, was substituted for House Bill No. 171.

Mr. King moved that Senate Bill No. 142 be passed on third and final consideration.

Mr. King moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 142 by inserting the following language as new sections immediately preceding the effective date section and by appropriately renumbering such effective date section:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-14-107, is amended by deleting subsections (b), (c), (d), (e), and (f).

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-14-105, is amended by deleting the words "industrial development division of the".

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-14-106, is amended by deleting the words "industrial development division of the".

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-3-706, amended by deleting the section in its entirety and by substituting instead the following:

(a) It shall be the function of the department of economic and community development to stimulate the creation

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

of new jobs and income through services to business and industry.

(b) The department shall exercise all of the administrative powers, duties, and functions described in Sections 4-14-103 - 4-14-108.

(c) The department shall have power to make rules and regulations not inconsistent with law for the administration of its functions and duties.

(d) The board of commissioners of the industrial and agricultural commission created by Section 4-14-101 shall serve as an advisory commission to the commissioner of economic and community development, who shall undertake to carry out the program and policies recommended by said board and who shall be an ex officio member of said board.

(e) The department shall provide for the administration of Tennessee Code Annotated, Title 68, Chapter 23, Part 1.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 142, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

House Bill No. 168--To terminate industrial and agricultural development commission.

On motion, House Bill No. 168 was made to conform with Senate Bill No. 246.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

On motion, Senate Bill No. 246, on same subject, was substituted for House Bill No. 168.

Mr. King moved that Senate Bill No. 246 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 68--To increase fine for prostitution.

Mr. Ussery moved that House Bill No. 68 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 68 by adding before the effective date section the following new sections and by renumbering the effective date section accordingly.

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 39-2-634, is amended by inserting between the words "person" and "found" the words "male or female or any combination thereof who is".

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 39-2-634, is further amended by adding the following new paragraph:

If two (2) persons, either male or female, are engaging in acts or activities wherein the female is charged under Tennessee Code Annotated, Section 39-2-632, then it shall be mandatory that the partner in the activities, female or male, be likewise charged and both, upon conviction shall

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

receive equal punishment; the legislative intent is to treat both sexes equally in the administration of justice.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 68 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 39-2-634, is amended by designating the existing language as subsection (a) and by adding the following new subsection:

(b)(1) Any fine in excess of fifty dollars (\$50.00) for the first offense; one hundred dollars (\$100.00) for the second offense and one hundred fifty dollars (\$150.00) for the third and subsequent offenses shall be placed in a special fund, in the county where the offense and conviction took place, to be under the custody and administration of the trustee of said county and shall be expended solely for the cost of maintaining, improving, or expanding the juvenile facility in which juveniles from such county are placed or housed notwithstanding that such facility is not in the county wherein conviction is obtained.

(2) These funds shall be designated to the juvenile facility and are not to be credited against any cost or charge which the county is paying the facility for housing and caring for their juveniles and shall be over and above all those charges. These funds are to be used solely for the purpose of furnishing, equipping, maintaining, improving, enlarging and or expanding the facility and shall not be used to supplement or increase any salary of any employee at or associated with the juvenile facility.

(3) The trustee of the county in which the conviction is obtained shall file an annual report detailing the income and outgo of all monies received as a result of this program and said program shall be audited at least once a year and a report shall be filed with the juvenile court of the county in which the conviction occurred.

On motion, the amendment was adopted.

Thereupon, House Bill No. 68, as amended, passed its third and final consideration by the following vote:



**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Ayes . . . . .	92
Noes . . . . .	3
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Jones, Pruitt and Turner, L. (Shelby)--3.

Representative present and not voting was: Robinson (Hamilton) --1.

A motion to reconsider was tabled.

House Joint Resolution No. 152--Relative to confirming appointment, John W. "Johnny" Bellis, Jr.

Mr. Wolfe moved that House Joint Resolution No. 152 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	99
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

House Joint Resolution No. 157--Relative to confirming appointment; Charles E. Peavyhouse.

Mr. Wood moved that House Joint Resolution No. 157 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Joint Resolution No. 158--Relative to confirming appointment, Norma Crow.

Mr. Work moved that House Joint Resolution No. 158 be adopted, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

House Bill No. 939--To define taxation, certain amusement devices.

Mr. Moore (Shelby) moved that House Bill No. 939 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 939 by deleting the semicolon at the end of subsection (a) (1) (A) of the amendatory language of Section 1 and substituting instead the following:

, provided any refund for such replays does not exceed the actual number of games played;

FURTHER AMEND by deleting from subsection (b) (1) (A) of the amendatory language of Section 2 the words and figure "one hundred fifty dollars (\$150)" and substituting instead the words and figure "three hundred fifty dollars (\$350)".

FURTHER AMEND by deleting subsection (b) (1) (B) of the amendatory language of Section 2 and substituting instead the following:

There shall be no tax for the privilege of operating, leasing, subleasing or consigning a Class II coin-operated amusement device in this state;

FURTHER AMEND by adding the following new Section 5 and by renumbering present Section 5 accordingly:

SECTION 5. Tennessee Code Annotated, Section 67-4-504, is further amended by inserting between the words "If a" and the word "device" in the fourth sentence of subsection (c) the words "Class II"; and by inserting the following between the first and second sentences of such subsection:

No tax stamp shall be issued for a Class I device until the owner has furnished the commissioner with the serial number of the device upon which the stamp is to be affixed. No tax stamp may be placed on or transferred to a Class I device other than the one for which such stamp was issued.

On motion, the amendment was adopted.

Thereupon, House Bill No. 939, as amended, passed its third and final consideration by the following vote:

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Ayes . . . . .	52
Noes . . . . .	40
Present and not voting . . . . .	5

Representatives voting aye were: Bewley, Bivens, Brewer, Clark (Davidson), Covington, Cross, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, King, Kisber, Love, McCroskey, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Washington), Severance, Stafford, Stallings, Tanner, Ussery, Webb, West, Whitson, Williams, Wolfe and Yelton--52.

Representatives voting no were: Bell, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Crain, Curlee, Darnell, Davidson, Duer, Harrill, Henry, Kent, Kernell, Lawson, May, McAfee, Moody, Naifeh, Napier, Peroulas, Robinson (Davidson), Scruggs, Shirley, Swann, Tankersley, Treadway, Turner, B. (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Wheeler, Winningham, Wix, Wood, Work and Mr. Speaker McWherter--40.

Representatives present and not voting were: Bragg, Davis (Gibson), Hassell, Miller, Starnes--5.

A motion to reconsider was tabled.

House Bill No. 619--To provide for insurance coverage, handicapped dependents.

On motion, House Bill No. 619 was made to conform with Senate Bill No. 492.

On motion, Senate Bill No. 492, on same subject, was substituted for House Bill No. 619.

Mr. McNally moved that Senate Bill No. 492 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford,

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

Representative present and not voting was: Copeland--1.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 594**

Senate Bill No. 594--To regulate employment, certain illegal aliens.

Mr. Davidson moved that Senate Bill No. 594 be passed on third and final consideration.

Mr. Davidson moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 594 by deleting subsection (a) of SECTION 1 in its entirety and by substituting instead the following:

(a) It shall be illegal for any person to knowingly employ or refer for employment any individual who has illegally entered the United States. For the purposes of this Act, "person" shall include any individual, partnership, association, company, business, or corporation regulated by, doing business in, or using the services of employees in the state of Tennessee, and shall also include any employment agency, contract labor provider, or organized employee organization which refers prospective employees to employers.

On motion, the amendment was adopted.

Mr. Davidson moved to amend as follows:

**AMENDMENT NO. 4**

Amend Senate Bill No. 594 by deleting from subsection (b) of SECTION 1 the words "person, organization or corporation" and the words "person or corporation" wherever they appear in subsection (b) and by substituting instead the word "person".

On motion, the amendment was adopted.

Mr. Whitson moved to amend as follows:

**AMENDMENT NO. 5**

Amend Senate Bill No. 594 by adding the following language to the end of Section 1 (a):

## MONDAY, APRIL 8, 1985—32nd LEGISLATIVE DAY

No person, employment agency, contract labor provider, organized employee organization who refers prospective employees to employers, or corporation shall be considered to be in knowing and willful violation of this act in any case in which a prospective employee presented a social security card, driver's license, birth certificate, vehicle registration, or work visa which demonstrated that such prospective employee is not an illegal alien.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 594, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	1
Present and not voting . . . . .	2

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Moody--1.

Representatives present and not voting were: Crain and Lawson --2.

A motion to reconsider was tabled.

House Bill No. 697--To amend Paperwork Reduction and Simplification Act, 1976.

On motion, House Bill No. 697 was made to conform with Senate Bill No. 801.

On motion, Senate Bill No. 801, on same subject, was substituted for House Bill No. 697.

Mr. West moved that Senate Bill No. 801 be passed on third and final consideration, which motion prevailed by the following vote:

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Ayes . . . . . 97  
Noes . . . . . 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 523--To make certain provisions, restricted drivers licenses.

Mr. West moved that House Bill No. 523 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 523 by deleting Section 1 in its entirety and substituting instead:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 7, is amended by adding the following language as a new section:

Section \_\_\_\_\_. When a person has been issued a restricted license under the provisions of this chapter such license shall allow the person to operate a motor vehicle for the purpose of going to and from and working at his regular place of employment and for going to and from church. The provisions of this section shall not apply when a person is issued a restricted license because of a violation of T.C.A. 55-10-401.

On motion, the amendment was adopted.

Mr. Chiles moved to amend as follows:

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

**AMENDMENT NO. 2**

Amend House Bill No. 523 by deleting from Section 1 the language "and for going to and from church" and by substituting instead the language "and for going to and from a specifically designated church the name of which shall be noted upon the restricted license."

On motion, the amendment was adopted.

Mr. West moved that House Bill No. 523 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

House Bill No. 631--To make certain provisions, tax suits.

Ms. Robinson (Washington) moved that House Bill No. 631 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 45--To regulate purchase and sale of red fox furs.

On motion, House Bill No. 45 was made to conform with Senate Bill No. 104.

On motion, Senate Bill No. 104, on same subject, was substituted for House Bill No. 45.

Mr. Burnett moved that Senate Bill No. 104 be passed on third and final consideration.

Mr. Curlee moved to amend as follows:



**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

**AMENDMENT NO. 1**

Amend Senate Bill No. 104 by adding the following new item at the end of the amendatory language of Section 1:

(24) Not less than thirty-two thousand five hundred (32,500) nor more than thirty-two thousand six hundred (32,600).

On motion, the amendment was adopted.

Mr. Hurley moved to amend as follows:

**AMENDMENT NO. 2**

Amend Senate Bill No. 104 by adding at the end of the amendatory language of Section 1 the following new items:

( ) Not less than thirty-three thousand seven hundred (33,700) nor more than thirty-three thousand eight hundred (33,800).

( ) Not less than thirteen thousand six hundred and ten (13,610) nor more than thirteen thousand seven hundred (13,700).

( ) Not less than fourteen thousand eight hundred and fifty (14,850) nor more than fourteen thousand nine hundred (14,900).

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

**AMENDMENT NO. 3**

Amend Senate Bill No. 104 by adding at the end of Section 1 the following new item:

( ) Not less than sixty thousand two hundred fifty (60,250) nor more than sixty thousand three hundred fifty (60,350).

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 104, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	96
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson,

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Representative present and not voting was: Buck--1.

A motion to reconsider was tabled.

House Bill No. 64--To make certain provision, ownership of acreage.

On motion, House Bill No. 64 was made to conform with Senate Bill No. 204.

On motion, Senate Bill No. 204, on same subject, was substituted for House Bill No. 64.

Mr. Collier moved that Senate Bill No. 204 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative voting no was: Copeland--1.

A motion to reconsider was tabled.

House Bill No. 322--To make certain provisions, service for mentally ill.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Ms. Duer moved that House Bill No. 322 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 322 by deleting Section 14 in its entirety and renumbering the remaining sections accordingly;

by deleting newly-numbered Section 14 (former section 15) in its entirety and substituting instead;

"Section 14. T.C.A. 33-6-101(a)(1) is amended by deleting this paragraph and substituting instead:

"33-6-101(a)(1). Voluntary hospitalization--Release.--  
(a)(1)(A) Any person sixteen (16) years of age or over, or  
(B) the spouse, parent or legal guardian on behalf of a  
person less than eighteen (18) years of age, may apply for  
admission to a public or private hospital or treatment  
resource for diagnosis, observation and treatment of a  
mental illness."

by deleting newly-numbered Section 33 (former Section 34) in its entirety and renumbering the remaining sections accordingly;

by deleting, in newly-numbered Section 33 (former Section 35),  
"the mental health evaluation referenced above in (d) (1)" and  
substituting instead "a clinical assessment";

and by deleting, in its entirety, newly-numbered Section 34  
(former Section 36) and substituting instead

"Section 35. T.C.A. 37-1-135(a) is amended by redesignating  
paragraph (a) as (a)(1) and by adding as paragraphs (2) and (3):

'(2) For purposes of this section "emergency" means  
that a child is mentally ill or mentally retarded and there  
is a specific judicial finding based on a clinical  
assessment that the child poses:

(A) A substantial risk of physical harm to the  
person himself as manifested by evidence of threats of,  
or attempts at, suicide or serious bodily harm; or

(B) A substantial risk of physical harm to other  
persons as manifested by evidence of homicidal or other  
violent behavior or evidence that others are placed in  
reasonable fear of violent behavior and serious  
physical harm to them.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

(3) When transportation of a child is necessary to obtain evaluations under this subsection, the court may order the child transported with the cost of the transportation borne by the county from which the child is sent.' "

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 322 by adding to Section 7 the phrase "by registered mail", which phrase should be inserted in 33-3-104 (7) (B) between the words "in writing" and "to his parent,".

On motion, the amendment was adopted.

Ms. Duer moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 322 by deleting newly-numbered Section 27 (originally Section 28) and renumbering the remaining sections accordingly:

By deleting newly-numbered Sections 33 and 34 (originally Sections 35 and 36) in their entirety and renumbering the remaining section accordingly.

On motion, the amendment was adopted.

Ms. Duer moved that House Bill No. 322 be placed on the Calendar for Thursday, April 11, 1985, which motion prevailed.

**CONSENT CALENDAR**

House Bill No. 192--To continue department of personnel.

On motion, House Bill No. 192 was made to conform with Senate Bill No. 235.

On motion, Senate Bill No. 235, on same subject, was substituted for House Bill No. 192.

House Bill No. 165--To terminate licensing board for the healing arts.

House Resolution No. 12--Relative to approving Tennessee Rules, Appellate Procedure.

House Resolution No. 11--Relative to approving Tennessee Rules, Criminal Procedure.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Senate Joint Resolution No. 87--Relative to commending Juanita C. Griggs.

Senate Joint Resolution No. 88--Relative to honoring Police Chief Arnold Botts.

Senate Joint Resolution no. 89--Relative to honoring the Reverend Alfred DeWayne Hill.

House Joint Resolution No. 219--Relative to congratulating Lebanon High School boys' basketball team.

House Joint Resolution No. 220--Relative to congratulating Swanson, Incorporated.

House Joint Resolution No. 221--Relative to congratulating Union City High School Band.

House Joint Resolution No. 224--Relative to congratulating Dorothy Hyder.

House Joint Resolution No. 225--Relative to congratulating Truman C. Tucker.

House Joint Resolution No. 226--Relative to congratulating Reverend J. D. Jamerson.

House Joint Resolution No. 227--Relative to honoring Memphis Woman of the Year, recipients.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb,

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 494--To make certain provisions, divorce and alimony.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 494 by deleting Section 1, subsection (12) in its entirety and by substituting the following:

(12) That for a continuous period of three (3) or more years which commenced prior to or after the effective date of this act both parties have lived in separate residences, have not cohabitated as man and wife during such period, and there are no minor children of the parties.

Mr. Murphy moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . .	80
Noes . . . . .	17
Present and not voting . . . . .	1

Representatives voting aye were: Bewley, Bivens, Bragg, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Work and Mr. Speaker McWherter--80.

Representatives voting no were: Bell, Buck, Byrd, Chiles, Copeland, Dills, Ivy, Jones, Kent, Lawson, Murray, Phillips, Stallings, Tankersley, Turner, L. (Shelby), Wolfe and Yelton--17.

Representative present and not voting was: Turner, C. (Shelby)  
--1.

A motion to reconsider was tabled.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 516--To authorize certain persons to perform marriages.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 516 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 17-1-206, is further amended by adding at the end of the section the following:

Any person who was a member of a quarterly county court on or before August 1, 1984 and who desires to solemnize the rites of matrimony shall first apply to and be certified by the county legislative body.

Mr. Cobb moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes . . . . .	69
Noes . . . . .	25
Present and not voting . . . . .	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), DePriest, Dixon, Ellis, Frensley, Gafford, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Kernell, King, Lawson, May, McAfee, McCroskey, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--69.

Representatives voting no were: Byrd, Chiles, Davis (Gibson), DeBerry, Dills, Duer, Gaia, Gill, Ivy, Jones, Kent, Kisber, Montgomery, Moody, Nance, Napier, Rhinehart, Shirley, Stafford, Stallings, Tankersley, Turner, L. (Shelby), Winningham and Yelton--25.

Representatives present and not voting were: Garrett, Love and Turner, C. (Shelby)--3.

A motion to reconsider was tabled.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

**SECOND ROLL CALL**

A roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

Mr. Tankersley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 238 out of order, which motion prevailed.

House Joint Resolution No. 238--Relative to honoring St. Paul Christian Methodist Episcopal Church--By Kisber and Tankersley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Tankersley, the resolution was adopted.

A motion to reconsider was tabled.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 228--Relative to honoring Unaka High School basketball team--By Treadway.

Under the rules, House Joint Resolution No. 228 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 229--Relative to congratulating Gene Quarles--By Moody.

Under the rules, House Joint Resolution No. 229 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 230--Relative to congratulating Burleigh Davis--By Moody.



## **MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Under the rules, House Joint Resolution No. 230 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 231--Relative to honoring Hampton High School basketball team--By Whitson.

Under the rules, House Joint Resolution No. 231 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 232--Relative to amending constitution, taxation--By Cobb.

The Speaker referred House Joint Resolution No. 232 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 233--Relative to congratulating Downtown Kingsport Optomist Club--By Montgomery, Hurley and Yelton.

Under the rules, House Joint Resolution No. 233 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 234--Relative to memory, former Representative Parnell Taylor--By Ridgeway.

Under the rules, House Joint Resolution No. 234 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 235--Relative to continuing study, Uniform Administrative Procedures Act--By Murphy.

The Speaker referred House Joint Resolution No. 235 to the Committee on Government Operations.

House Joint Resolution No. 236--Relative to urging NASCAR to restore Grand National racing to Nashville--By Moore (Sullivan), Murphy, Ellis, Clark (Davidson), Covington, West, Cobb, Pruitt and Mr. Speaker McWherter.

The Speaker referred House Joint Resolution No. 236 to the Committee on Calendar and Rules.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 84--To establish a statewide genetics program.

Passed first consideration.

Senate Bill No. 271--To regulate certain municipal elections.

Passed first consideration.

Senate Bill No. 483--To regulate collection, student loans.

## **MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

Passed first consideration.

Senate Bill No. 604--To enact Racing Control Act of 1985.

Passed first consideration.

Senate Bill No. 683--To regulate certain compensation, utility districts.

Passed first consideration.

Senate Bill No. 739--To regulate holding time, transfer scrap jewelry.

Passed first consideration.

Senate Bill No. 906--To regulate certain county election commissions.

Passed first consideration.

Senate Bill No. 924--To exclude beer and light alcohol retailers, licensing requirements.

Passed first consideration.

Senate Bill No. 957--To regulate legislative oversight.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1065--To exempt certain persons from wheel tax, Campbell County.

Passed second consideration and held without reference.

House Bill No. 1066--To set compensation, school board, Giles County.

Passed second consideration and held without reference.

House Bill No. 1067--To authorize severance tax, Giles County.

Passed second consideration and held without reference.

House Bill No. 1068--To regulate sale of fireworks, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 10, 1985: House Bills Nos. 140, 598, 368, 707, 817, 902, 565, 132, 771, 394, 267, 928, 357, 873 and 651.

GILL, Chairman.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos.:

64--Relative to naming "Allen-Alloway Highway";

65--Relative to designating "Arvil W. Anderson Memorial Bridge";

66--Relative to designating "Harvey H. and Gerald G. Hannah Memorial Bridge";

67--Relative to designating "Lawrence N. Brown, Sr. Memorial Bridge";

92--Relative to commending William Bradley Lockert, Jr.;

93--Relative to commending Robert Earl Hershey;

95--Relative to congratulating James H. Darrell; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

303--To waive certain requirements, bank mergers;

630--To regulate institutions which extend credit;

716--To regulate termination, governmental entities;

955--To regulate State Representative Districts 76 and 77;

960--To regulate felony offense, certain person assigned to certain release programs;

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

1034--To regulate open season on foxes, Greene County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

196--To regulate Prevailing Wage Act;

276--To regulate Chattanooga-Hamilton County Hospital Authority;

423--To prohibit acquisition, certain deposit institutions;

693--To enact Tennessee Modular Building Act;

921--To regulate minimum business taxation;

922--To regulate Tobacco Tax Law;

923--To provide exemption, certain tangible personal property; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**LOCAL BILL TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1065.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 10, 1985: House Bill No. 1065; and House Joint Resolutions Nos. 228, 229, 230, 231, 233 and 234.

GILL, Chairman.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as

**MONDAY, APRIL 8, 1985--32nd LEGISLATIVE DAY**

indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 533--Byrd

House Bill No. 960--Drew

House Bill No. 975--Drew

House Bill No. 989--Murphy

House Bill No. 990--Murphy

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 68, 162, 165, 631 and 939; House Joint Resolutions Nos. 152, 157, 158, 219, 220, 221, 224, 225, 226, 227 and 238; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m., Wednesday, April 10, 1985.